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CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Report of the First Committee (Part XVI)*

Rapporteur: Mr. Parfait-Serge ONANGA-ANYANGA (Gabon)

I. INTRODUCTION

1. The First Committee considered agenda item 75 jointly with all the other items relating to disarmament and international security (for details, see A/51/566). For the documents before the Committee under item 75, see A/51/566, paragraph 3.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/51/L.40

2. At the 15th meeting of the Committee, on 6 November 1996, the representative of Sweden, on behalf of Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Ecuador, Finland, France, Germany, Hungary, Iceland, India, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (A/C.1/51/L.40).

* The reports of the Committee on all the agenda items relating to disarmament and international security (items 60, 61 and 63-81) will be issued under the symbol A/51/566 and addenda.

Subsequently, Bangladesh, Belarus, Brazil, El Salvador, Guatemala, Malta, Monaco, Mongolia, Panama and Paraguay joined in sponsoring the draft resolution.

3. At its 21st meeting, on 13 November, the Committee adopted draft resolution A/C.1/51/L.40 without a vote (see para. 4).

III. RECOMMENDATION OF THE FIRST COMMITTEE

4. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 50/74 of 12 December 1995 and previous resolutions referring to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[1]

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I),[1] the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[1] and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),[1] which entered into force on 2 December 1983,

Also recalling with satisfaction the adoption, on 13 October 1995, of the Protocol on Blinding Laser Weapons (Protocol IV),[2]

Reaffirming its conviction that a general and verifiable agreement on prohibitions or restrictions on the use of certain conventional weapons would significantly reduce the suffering of civilians and combatants,

Noting that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by the existing Protocols or to review the scope and application of the Convention and the Protocols annexed thereto and to examine any proposed amendments or additional protocols,

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[1] See The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

[2] CCW/CONF.I/16 (Part I), annex A.

Welcoming the fact that the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects met at resumed sessions at Geneva from 15 to 19 January 1996 and from 22 April to 3 May 1996 and concluded its work,

Particularly welcoming the adoption on 3 May 1996 of the Amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II),[3]

Recalling the desire expressed by the States party to the Convention that all States, pending the entry into force of the amended Mines Protocol, respect and ensure respect for the substantive provisions of the amended Protocol to the fullest extent possible,

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols annexed thereto,

Welcoming the national measures adopted by an increasing number of Member States relating to bans, moratoriums or restrictions on the transfer, use or production of anti-personnel landmines or to the reduction of existing stockpiles of such mines,

Desirous of reinforcing international cooperation in the area of prohibitions or restrictions on the use of certain conventional weapons, in particular for the removal of minefields, mines and booby traps,

Recalling in this respect its resolution 50/82 of 14 December 1995 and previous resolutions on assistance in mine clearance,

Noting with appreciation contributions pledged to the Voluntary Trust Fund for Assistance in Mine Clearance,

1. Registers its satisfaction with the report of the Secretary-General;[4]

2. Welcomes the fact that additional States have ratified or accepted the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which was opened for signature in New York on 10 April 1981, or have acceded to the Convention;

3. Urgently calls upon all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and its Protocols and upon successor States to take appropriate measures so that ultimately adherence to these instruments will be universal;

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[3] Ibid., annex B.

[4] A/51/254.

4. Calls upon the Secretary-General, in his capacity as depositary of the Convention and the Protocols annexed thereto, to continue to inform it periodically of ratifications and acceptances of and accessions to the Convention and the Protocols;

5. Takes note with appreciation of the final report of the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, adopted at Geneva on 3 May 1996;[5]

6. Commends the Amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)[3] to all States, with a view to achieving the widest possible adherence to this instrument at an early date, and calls, in particular, on the States parties to express their consent to be bound by the Protocol with a view to its entry into force as soon as possible;

7. Again commends the Protocol on Blinding Laser Weapons (Protocol IV)[2] to all States, with a view to achieving the widest possible adherence to this instrument at an early date, and calls, in particular, on the States parties to express their consent to be bound by the Protocol with a view to its entry into force as soon as possible;

8. Decides to include in the provisional agenda of its fifty-second session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".

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[5] CCW/CONF.I/16 (Part I).